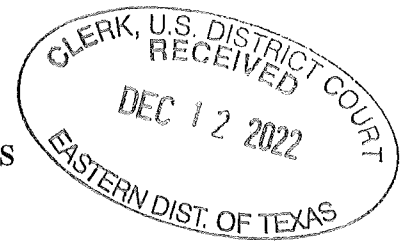


PRISONER'S CIVIL RIGHTS COMPLAINT (Rev. 07/2021)

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
TYLER DIVISION



JACK Cody RABURN #00066017
Plaintiff's Name and ID Number

HENDERSON Co. Jail P.O. Box 2601
Place of Confinement Athens TX 75751

CASE NO. 6:22-cv-432
(Clerk will assign the number)

v.

P.O. Box 2601
Athens TX 75751

SHERIFF • BOTIE NILLHOUSE
Defendant's Name and Address

CHIEF • KEVIN HALBERT P.O. Box 2601
Defendant's Name and Address Athens TX 75751

ASSISTANT CHIEF • ENU LNU P.O. Box 2601
Defendant's Name and Address Athens TX 75751
(DO NOT USE "ET AL.")

INSTRUCTIONS - READ CAREFULLY

NOTICE:

Your complaint is subject to dismissal unless it conforms to these instructions and this form.

1. To start an action you must file an original and one copy of your complaint with the court. You should keep a copy of the complaint for your own records.
2. Your complaint must be legibly handwritten, in ink, or typewritten. You, the plaintiff, must sign and declare under penalty of perjury that the facts are correct. If you need additional space, **DO NOT USE THE REVERSE SIDE OR BACK SIDE OF ANY PAGE.** ATTACH AN ADDITIONAL BLANK PAGE AND WRITE ON IT.
3. You must file a separate complaint for each claim you have unless the various claims are all related to the same incident or issue or are all against the same defendant, Rule 18, Federal Rules of Civil Procedure. Make a short and plain statement of your claim, Rule 8, Federal Rules of Civil Procedure.
4. When these forms are completed, mail the original and one copy to the clerk of the United States district court for the appropriate district of Texas in the division where one or more named defendants are located, or where the incident giving rise to your claim for relief occurred. If you are confined in the Texas Department of Criminal Justice, Correctional Institutions Division (TDCJ-CID), the list labeled as "VENUE LIST" is posted in your unit law library. It is a list of the Texas prison units indicating the appropriate district court, the division and an address list of the divisional clerks.

FILING FEE AND IN FORMA PAUPERIS (IFP)

1. In order for your complaint to be filed, it must be accompanied by the statutory filing fee of \$350.00 plus an administrative fee of \$52.00 for a total fee of **\$402.00**.

2. If you do not have the necessary funds to pay the fee in full at this time, you may request permission to proceed *in forma pauperis*. In this event you must complete the application to proceed *in forma pauperis*, setting forth information to establish your inability to prepay the fees and costs or give security therefor. You must also include a current six-month history of your inmate trust account. If you are an inmate in TDCJ-CID, you can acquire the application to proceed *in forma pauperis* and the certificate of inmate trust account, also known as *in forma pauperis* data sheet, from the law library at your prison unit.

3. The Prison Litigation Reform Act of 1995 (PLRA) provides "... if a prisoner brings a civil action or files an appeal *in forma pauperis*, the prisoner shall be required to pay the full amount of a filing fee." See 28 U.S.C. § 1915. Thus, the court is required to assess and, when funds exist, collect, the entire filing fee or an initial partial filing fee and monthly installments until the entire amount of the filing fee has been paid by the prisoner. If you submit the application to proceed *in forma pauperis*, the court will apply 28 U.S.C. § 1915 and, if appropriate, assess and collect the entire filing fee or an initial partial filing fee, then monthly installments from your inmate trust account, until the entire \$350.00 statutory filing fee has been paid. (The \$52.00 administrative fee does not apply to cases proceeding *in forma pauperis*.)

4. If you intend to seek *in forma pauperis* status, do not send your complaint without an application to proceed *in forma pauperis* and the certificate of inmate trust account. Complete all essential paperwork before submitting it to the court.

CHANGE OF ADDRESS

It is your responsibility to inform the court of any change of address and its effective date. Such notice should be marked **"NOTICE TO THE COURT OF CHANGE OF ADDRESS"** and shall not include any motion for any other relief. Failure to file a NOTICE TO THE COURT OF CHANGE OF ADDRESS may result in the dismissal of your complaint pursuant to Rule 41(b), Federal Rules of Civil Procedure.

I. PREVIOUS LAWSUITS:

A. Have you filed *any* other lawsuit in state or federal court relating to your imprisonment? ☒ YES ☐ NO

B. If your answer to "A" is "yes," describe each lawsuit in the space below. (If there is more than one lawsuit, describe the additional lawsuits on another piece of paper, giving the same information.)

1. Approximate date of filing lawsuit: 10/8/21

2. Parties to previous lawsuit:

Plaintiff(s) JACK LODY RABURN #00006017

Defendant(s) BOTIE HILLHOUSE • MAJOR FAUGHT • WILLIAM TELL WALKER • BRIAN HALL • SGT. JOHNSON

3. Court: (If federal, name the district; if state, name the county.) EASTERN DISTRICT TYLER TX.

4. Cause number: 6:21-cv-389

5. Name of judge to whom case was assigned: MAGISTRATE K. NICOLE MICHELL

6. Disposition: (Was the case dismissed, appealed, still pending?) Held till criminal trial over

7. Approximate date of disposition: ? 4. 22

II. PLACE OF PRESENT CONFINEMENT: PO. BOX 2601
HENDERSON CO. Jail Athens TX. 75751

III. EXHAUSTION OF GRIEVANCE PROCEDURES:

Have you exhausted all steps of the institutional grievance procedure?

☒ YES ☐ NO

Attach a copy of your final step of the grievance procedure with the response supplied by the institution.

IV. PARTIES TO THIS SUIT:

A. Name and address of plaintiff: SHERIFF BOTIE WILLHOUSE JACK CORY RABIAN
HENDERSON CO. Jail • PO. BOX 2601 • Athens TX. 75751

B. Full name of each defendant, his official position, his place of employment, and his full mailing address.

Defendant #1: SHERIFF BOTIE WILLHOUSE • HENDERSON CO. Jail • PO. BOX 2601
Athens TX. 75751

Briefly describe the act(s) or omission(s) of this defendant which you claimed harmed you.

OVER SEES • OWNS • OPERATES • MANAGES • directs • controls Policy • defective custom • Final decision GRIEVANCE • DUE to
deliberat indifference to excessive wait NERSE sick calls • Transports to dentist 14 Months violated 8th Amendment
 Defendant #2: CHIEF WALBERT

Briefly describe the act(s) or omission(s) of this defendant which you claimed harmed you.

OPERATES • MANAGES • directs • controls Policy • defective custom works with Medical • excessive waits on nerse
sick calls and transports to dentist • deliberate indifference • violated Eighth Amendment.
 Defendant #3: ASSISTANT CHIEF • FNU LNU

Briefly describe the act(s) or omission(s) of this defendant which you claimed harmed you.

OPERATES • MANAGES • directs • controls Policy • defective custom works with Medical • excessive waits on nerse
↓
sick calls • transports to dentist • deliberate indifference • violated Eighth Amendment • cruel and
unusual Punishment
 Defendant #4: NERSE AMANDA LNU

Briefly describe the act(s) or omission(s) of this defendant which you claimed harmed you.

EXCESSIVE waits on sick calls • transports to dentist • Not Following Policy • deliberate indifference that
violated Plaintiff's Eighth Amendment • cruel and unusual Punishment.
 Defendant #5: DR. FNU MDNLS ARE

Briefly describe the act(s) or omission(s) of this defendant which you claimed harmed you.

Denied Medical attention • deliberate indifference to serious Med. Needs • Failure to push or cure excessive
waits on Medical sick calls • transports to dentist • Not Following Policy • violated Plaintiff Eighth Amendment
cruel and unusual Punishment.

V. STATEMENT OF CLAIM:

State here in a short and plain statement the facts of your case, that is, what happened, where did it happen, when did it happen, and who was involved. Describe how each defendant is involved. You need not give any legal arguments or cite any cases or statutes. If you intend to allege a number of related claims, number and set forth each claim in a separate paragraph. Attach extra pages if necessary, but remember the complaint must be stated briefly and concisely. **IF YOU VIOLATE THIS RULE, THE COURT MAY, STRIKE YOUR COMPLAINT.** While under the color of state law all listed defendants have

been deliberate in deferent to given Plaintiff proper medical attention. By failing to curb or cure of known deficiencies of excessive waits on nurse sick calls. Transports to distict. Not following Policy (4) to (6) over the counter medication. Sick calls taking (3) to (5) days to get anything for an abscess tooth or migraines. (14) months to get a tooth pulled. All defendants know personally about these unconstitutional violations for yes. Callous. Willful. Reckless disregard of Plaintiff rights under Federal and state law by causing Plaintiff to suffer and continue to suffer physical. Psychological harm, pain and suffering. due to all defendants deliberate indifference thereby violated Plaintiff right to be free from cruel and unusual punishment under the Eighth Amendment to the United States Constitution and/or Plaintiff right to due process of law under the Fourteenth Amendment by deliberate indifference..

VI. RELIEF:

State briefly exactly what you want the court to do for you. Make no legal arguments. Cite no cases or statutes. Grant damages in attached complaint and Give an injunction order to

curb or cure known deficiencies. Able to receive over the counter medication (4) to (6) hrs. per Policy so Plaintiff does not have to suffer cruel and unusual punishment.

VII. GENERAL BACKGROUND INFORMATION:

A. State, in complete form, all names you have ever used or been known by including any and all aliases.

JACK Cody RABURN ALWAY WENT BY Cody

B. List all TDCJ-CID identification numbers you have ever been assigned and all other state or federal prison or FBI numbers ever assigned to you.

1021814 - 1271259

VIII. SANCTIONS:

A. Have you been sanctioned by any court as a result of any lawsuit you have filed? YES ☒ NO

B. If your answer is "yes," give the following information for every lawsuit in which sanctions were imposed. (If more than one, use another piece of paper and answer the same questions.)

1. Court that imposed sanctions (if federal, give the district and division): _____

2. Case number: _____

3. Approximate date sanctions were imposed: _____

4. Have the sanctions been lifted or otherwise satisfied? YES NO

C. Has any court ever warned or notified you that sanctions could be imposed? _____ YES _____ NO

D. If your answer is "yes," give the following information for every lawsuit in which a warning was issued. (If more than one, use another piece of paper and answer the same questions.)

1. Court that issued warning (if federal, give the district and division): _____

2. Case number: _____

3. Approximate date warning was issued: _____

Executed on: _____
DATE

(Signature of Plaintiff)

PLAINTIFF'S DECLARATIONS

1. I declare under penalty of perjury all facts presented in this complaint and attachments thereto are true and correct.
2. I understand, if I am released or transferred, it is my responsibility to keep the court informed of my current mailing address and failure to do so may result in the dismissal of this lawsuit.
3. I understand I must exhaust all available administrative remedies prior to filing this lawsuit.
4. I understand I am prohibited from bringing an *in forma pauperis* lawsuit if I have brought three or more civil actions or appeals (from a judgment in a civil action) in a court of the United States while incarcerated or detained in any facility, which lawsuits were dismissed on the ground they were frivolous, malicious, or failed to state a claim upon which relief may be granted, unless I am under imminent danger of serious physical injury.
5. I understand even if I am allowed to proceed without prepayment of costs, I am responsible for the entire filing fee and costs assessed by the court, which shall be deducted in accordance with the law from my inmate trust account by my custodian until the filing fee is paid.

Signed this 11 day of 22, 20 22.
(Day) (month) (year)

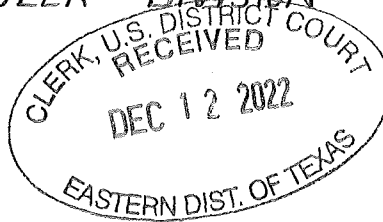
WENDERSON CO. Jail
JACK Cody Roberson
(Signature of Plaintiff)

WARNING: Plaintiff is advised any false or deliberately misleading information provided in response to the above questions may result in the imposition of sanctions. The sanctions the court may impose include, but are not limited to, monetary sanctions and the dismissal of this action with prejudice.

IN THE UNITED STATE DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS

TYLER DIVISION

JACK CODY RABURN #00066017
PLAINTIFF



NO. 6:22-CV-432
JURY DEMAND

V.
SHERIFF BOTIE HILLHOUSE
CHIEF KEVIN HAIBERT
ASSISTANT CHIEF FNU LNU
NERSE AMANDA LNU
DR. MONGARE
DEFENDANTS

AMENDED COMPLAINT

I. PRELIMINARY STATEMENT

1. This is a CIVIL RIGHTS ACTION BROUGHT UNDER 42 U.S.C. § 1983 AND RAISING SUPPLEMENTAL STATE-LAW CLAIMS CONCERNING ALL DEFENDANTS DELIBERATE INDIFFERENCE AND NEGLIGENCE IN RELATION TO PLAINTIFF URGENT NEED FOR OVER THE COUNTER MEDICATION (4) to (6) HRS. PER POLICY. THE EXCESSIVE WAIT FOR NERSE SICK CALLS THAT TAKES (3) to (5) DAYS TO ADDRESS TO GET OVER THE COUNTER MEDICATION TO TREAT A ABSCESSED TOOTH THAT HAS CAUSED PLAINTIFF SERIOUS PAIN WITH NO WAY TO TREAT IT UNTIL THAT SICK CALL ADDRESS. DUE TO THE CUSTOM OF NOT FOLLOWING POLICY...
2. PLAINTIFF HAS ALSO SUFFERED FROM AN KNOWN NECK INJURY FROM A CT SCAN YET DENIED I EVEN HAD THIS INJURY... WHICH HAS AND CONTINUES TO CAUSE SERIOUS MIGRAINS TO THE POINT OF VOMITING, SIGNIFICANTLY AFFECTS DAILY ACTIVITIES... AND NO WAY TO TREAT THIS SERIOUS PAIN AND SUFFERING TILL AN NERSE SICK CALL IS ADDRESSED (3) to (6) DAYS LATER... DENIED A SUBSCRIPTION OF IBUPROFEN TO BE ON THE NERSE BILL CART TO BE ABLE TO REQUEST WHEN NEEDED...
3. PLAINTIFF HAS ALSO SUFFERED FROM THE CONSTITUTIONAL VIOLATIONS ABOVE DUE TO ALL DEFENDANTS DELIBERATE INDIFFERENCE TO THE DEFECTIVE POLICY-CUSTOM AND NOT CURBING OR CURING THE EXCESSIVE WAIT FOR TRANSPORTS TO THE ORAL SURGEON TO HAVE A TOOTH PULLED THAT TOOK (14) MONTHS TO GET PULLED. WHY HASN'T THIS KNOWN DEFECTIVE BEEN CURED BY HIRING A DENTIST FOR HENDERSON CO. JAIL, this WIDE SPREAD POLICY-CUSTOM HAS BEEN A DEFECT FOR YRS. HENDERSON CO. AND POLICY MAKING OFFICIALS NAMELY SHERIFF BOTIE HILLHOUSE IS FUNDED TO TAKE OR MAKE SURE PLAINTIFF IS GETTING PROPER MEDICAL TREATMENT AND FEDERAL FUNDED FOR HENDERSON CO. JAIL. YET DELIBERATE INDIFFERANT TO THOUGH NEEDS...

4. DUE TO ALL DEFENDANTS ACTIONS AND INACTIONS OF DELIBERATE INDIFFERENCE TO ALL CONSTITUTIONAL VIOLATIONS LISTED ABOVE, PLAINTIFF DID NOT RECEIVE THE TIMELY TREATMENT REQUIRED TO ADDRESS SUCH CONDITIONS, AND AS A RESULT, PLAINTIFF HAS AND CONTINUES TO SUFFER FROM THE CONDITIONS LISTED ABOVE THAT HAS AGGERANATED AND THUS CAUSED PLAINTIFF SUBSTANTIALLY MORE HARM THAN IT WOULD HAVE HAD DEFENDANT'S ACTED CONSISTENT WITH GENERALLY ACCEPTED MEDICAL STANDARDS OF CARE..

5. AT ALL TIMES RELEVANT TO THIS COMPLAINT, AS EVIDENCE LISTED BY THE LACK OF APPROPRIATE CARE PROVIDED IN THIS CASE, ALL DEFENDANTS EMPLOYEED AND CONTRACTUAL AGREEMENT HAVE AND CONTINUE TO BE UNDER THE COLOR OF STATE LAW HAVE AND CONTINUE TO ACT WILLFUL, RECKLESS AND CALLOUS DISREGARD OF PLAINTIFF RIGHTS UNDER FEDERAL AND STATE LAW.

6. AS A DIRECT AND PROXIMATE RESULT OF DELIBERATE INDIFFERENCE OF THE CONDUCT OF ALL DEFENDANTS, PLAINTIFF SUFFERED AND CONTINUES TO SUFFER CRUEL AND UNUSUAL PUNISHMENT OF SERIOUS MEDICAL NEEDS, DEFENDANTS ACTIONS OR INACTIONS OR THE DEFECTIVE POLICY-CUSTOM HAS BEEN THE DIRECT CAUSE OF THE MOVING FORCE AND THEREBY VIOLATED PLAINTIFF RIGHT TO BE FREE FROM CRUEL AND UNUSAL PUNISHMENT UNDER THE EIGHTH AMENDMENT OF THE UNITED STATES CONSTITUTION AND/OR PLAINTIFF RIGHT TO DUE PROCESS OF LAW UNDER THE FOURTEENTH AMENDMENT TO THE UNITED STATES CONSTITUTION...

7. PLAINTIFF NOW SEEKS DAMAGES FOR THE SUBSTANTIAL PAIN AND SUFFERING CAUSED BY ALL DEFENDANTS CONDUCT OF THE INDIVIDUAL DEFENDANTS WERE DIRECTLY AND PROXIMATELY CAUSED BY THE ACTIONS AND INACTIONS OF DELIBERATE INDIFFERENCE FAILED TO PROPERLY TRAIN, SUPERVISE AND DISCIPLINE MEDICAL PERSONNEL AS TO ENSURE THAT PLAINTIFF WOULD RECEIVE APPROPRIATE CARE AND FAILED TO DEVELOP AND IMPLEMENT POLICYS OR CURE UNCONSTITUTIONAL CUSTOMS, PRACTICES AND PROCEDURES TO ENSURE PLAINTIFF WOULD RECEIVE APPROPRIATE CARE AND NOT SUFFERING CRUEL AND UNUSAL PUNISHMENT..

II. JURISDICTION

8. THIS COURT HAS JURISDICTION OVER THE SUBJECT MATTER OF THIS COMPLAINT UNDER 42 U.S.C. § 1983 AND 28 U.S.C. §§ 1331, 1343 (a) (3), 1343 (a) (4) AND 1367 (a).

III. EXHAUSTION OF ADMINISTRATIVE REMEDIES

9. THE PLAINTIFF HAS EXHAUSTED HIS ADMINISTRATIVE REMEDIES WITH RESPECT TO ALL CLAIMS AND ALL DEFENDANTS.

IV. PARTIES DEFENDANTS

10. SHERIFF BOBIE HILLHOUSE, WHICH MANAGES AND OVER SEES MEDICAL EMPLOYEES THAT ARE UNDER A CONTRACTUAL AGREEMENT ESTABLISH POLICIES, PRACTICES, AND PROCEDURES ARE MET TO ENSURE PLAINTIFF RECEIVE APPROPRIATE CARE FOR SERIOUS MEDICAL NEEDS, AND FIND APPROPRIATE TRANSPORT TO ORAL SURGEON, AND FINAL DECISION ON GRIEVANCES TO MAKE SURE PLAINTIFF IS FREE FROM CRUEL AND UNUSUAL PUNISHMENT, TO ENSURE, DEVELOP, IMPLEMENT POLICIES TO CURB OR CURE DEFECTIVE CUSTOMS THAT DON'T MEET THOSE NEEDS, BEING THE POLICIES MADE OFFICIAL...

THE FINAL DECISION TO 5-3-21 MR HILLHOUSE REPLY IS PLAINTIFF IS RECEIVING PROPER MED. TREATMENT... 1-25-22 SHERIFF CONDUCTING A WALK THROUGH PLAINTIFF EXPLAINED HIS MEDICAL CONDITIONS, STATED PLAINTIFF IS RECEIVING PROPER MED. TREATMENT AND FOLLOWING POLICIES CONCERNING TRANSPORTS TO ORAL SURGEON...

FAILURE TO CURB OR CURE THIS KNOWN DEFICIENCIES THAT'S BEEN GOING ON FOR YRS. PERSONAL KNOWLEDGE, IS THE MOVING FORCE BEHIND THESE CONSTITUTIONAL VIOLATIONS TO PLAINTIFF EIGHTH AMENDMENT, DUE PROCESS, FOURTEENTH AMENDMENT DUE TO HIS DELIBERATE INDIFFERENCE AND LIABLE 1-7 ABOVE...

11. CHIEF KEVIN HALBERT AND ASSISTANT CHIEF, WHICH MANAGES AND OVER SEES MEDICAL STAFFS THAT ARE UNDER CONTRACTUAL AGREEMENT AND REFERS TO CHIEF AND ASSISTANT CHIEF PER POLICIES TO MAKE SURE THAT CONTRACTUAL AGREEMENT ARE MET AND REFER TO THE SHERIFF TO ESTABLISH POLICIES, PRACTICES, AND PROCEDURES ARE MET IF NOT HELP IMPLEMENT THOSE POLICIES TO CURB OR CURE THE KNOWN DEFICIENCIES NAMELY EXCESSIVE WAITS FOR SICK CALLS, TRANSPORT TO ORAL SURGEON TO MAKE SURE PLAINTIFF IS FREE FROM CRUEL AND UNUSUAL PUNISHMENT...

THESE DEFICIENCIES THAT SHERIFF, CHIEF, ASSISTANT CHIEF HAVE KNOWN FOR YRS. AND CONTINUE TO BE DELIBERATE INDIFFERENT PERSONALLY, IS THE MOVING FORCE BEHIND THESE CONSTITUTIONAL VIOLATIONS TO PLAINTIFF EIGHTH AMENDMENT, DUE PROCESS, FOURTEENTH AMENDMENT, CRUEL AND UNUSUAL PUNISHMENT AND LIABLE 1-7 ABOVE...

12. NERSE AMANDA, WHO HELPS MANAGE, OPERATE, DIRECTS, SICK CALLS, SCHEDULE ORAL SURGEON APPOINTMENTS AND PERSONALLY WORKS WITH CHIEF, ASSISTANT CHIEF, SHERIFF, TO DEVELOP, IMPLEMENT POLICIES TO ENSURE DEFECTIVE CUSTOMS GET CURB OR CURED NAMELY EXCESSIVE WAITS FOR NERSE SICK CALLS, TRANSPORTS TO ORAL SURGEON, AND ALL DEFENDANTS DELIBERATE INDIFFERENCE TO THOSE NEEDS IS THE MOVING FORCE BEHIND THESE CONSTITUTIONAL VIOLATIONS PLAINTIFF SUFFERS EIGHTH AMENDMENT, CRUEL AND UNUSUAL PUNISHMENT, DUE PROCESS, FOURTEENTH AMENDMENT AND ALSO LIABLE 1-7 ABOVE...

FURTHER MORE PLAINTIFF HAS SUFFERED CRUEL AND UNUSUAL PUNISHMENT DUE TO NOT FOLLOWING POLICY TO ALLOW PLAINTIFF TO TREAT ABCESSSED TEETH, MIGRINS WITH OVER THE COUNTER MEDICATIONS (4) TO (6) HRS. PER NERSE POLICY AND THE EXCESSIVE WAIT (14) MONTHS TO GET A TOOTH PULLED AND EXCESSIVE WAITS (3) TO (6) DAYS TO ADDRESS AN NERSE SICK CALL TO EVEN BE ABLE TO TREAT THOSE SERIOUS MED. NEEDS ON THE FOLLOWING DATES: 3-8-21, 3-16-21, 3-20-21, 3-22-21, 3-23-21, 4-3-21, 4-5-21, 4-7-21, 4-8-21, 4-12-21, 4-16-21, 4-20-21, 4-23-21, 4-24-21, 5-3-21, 5-8-21, 5-11-21, 5-12-21, 5-29-21, 6-1-21, 6-3-21, 7-14-21, 7-16-21, 7-30-21, 8-3-21, 8-15-21, 9-1-21, 10-12-21, 11-4-21, 11-15-21, 12-21-21, 12-29-21, 1-4-22, 1-21-22, 2-4-22, 2-21-22, 3-23-22, 4-9-22, 4-16-22, 4-25-22, 4-28-22, 5-3-22, 6-6-22, 7-20-22, 8-1-22, 8-29-22, 9-8-22, 9-11-22, 9-12-22, 9-15-22, 9-16-22, 9-19-22, 9-20-22, 9-23-22, 9-26-22.

13. DR. MONGARE, who is UNDER A CONTRACTUAL AGREEMENT TO MAKE SURE PLAINTIFF RECIEVES PROPER Med. TREATMENT, who MANAGES ° OPERATES ° directs EMPLOYEES ° SICK CALLS ° MANAGES APPOINTMENTS to ORAL SURGEON ° PERSONALLY WORKS WITH ° NERSE ° ASSISTANT CHIEF ° CHIEF ° SHERIFF TO MAKE SURE all those NEEDS ARE MET AND to develop ° IMPLEMENT Policies to ENSURE defective CUSTOMS Get CURBED OR CURED NAMELY EXCESSIVE WAITS ON NERSE SICK CALLS ° TRANSPORTS to ORAL SURGEON.. AND all DEFENDANT'S deliberate indifference to those NEEDS is the MOVING FORCE behind these Constitutional violations that Plaintiff has SUFFERED AND CONTINUES TO SUFFER EIGHTH AMENDMENT ° CRUEL AND UNUSAL Punishment ° DUE PROCESS ° Fourteenth AMENDMENT and also liable 1-7 above..

FUTHERMORE DR. denied i had A NECK INJURY EVEN AFTER CT SCAN SHOWING (3) DAMAGES disk in MY NECK. Plaintiff JUST had to say MY NECK WAS HURT NOT REFER TO MY ARREST. DR. Find A HARDENED CORE that RUNS FROM THE BASE OF MY NECK DOWN UNDER MY SHOULDER BLADE. He Prescribed (2) SUBSCRIPTION'S back to back OF A STEROID. which helped but A Medaction YOU CANT TAKE EVERY DAY. DENIED Plaintiff to be able to HAVE A PERSONAL SUBSCRIPTION OF Ibuprofen to be ON the NERSE Pill CART to be able to REQUEST when NEEDED FOR A NECK INJURY that CAUSES SERIOUS MIGRAINS to OF VOMITING AND SIGNIFICANTLY AFFECTS daily ACTIVITIES.. NEED discovery to show dates on DR. Jisets

Failure to allow Plaintiff to TREAT AN INJURY ONCE Prescribed ARE deliberate indifference to the KNOWN DEFECTENCIES OF NOT FOLLOWING Policy to be able to RECIEVE over the COUNTER Medication (4) to (6) hrs CAUSING Plaintiff CRUEL AND UNUSAL Punishment HAVING to WAIT (3) to (6) days FOR A NERSE sick CALL to be ADDRESSED. AND ALSO the EXCESSIVE WAIT (14) MONTHS to have an ABSCESS TOOTH PULLED.. FAILURE to CURB OR CURE these DEFECTENCIES OR develop ° IMPLEMENT Policies with NERSE ° ASSISTANT CHIEF ° CHIEF ° SHERIFF PER Policy to ENSURE Plaintiff RECIEVE PROPER timely Med. Treatment is the MOVING FORCE behind these Constitutional violations OF EIGHTH AMENDMENT ° to be FREE FROM CRUEL AND UNUSAL Punishment ° DUE PROCESS ° Fourteenth AMENDMENT...

14. All DEFENDANT'S have AND continue to be UNDER the COLOR OF STATE LAW UNDER Contractual AGREEMENT AND due to deliberate indifference OF all DEFENDANT'S Failure to COMPLY with Generally accepted Medical standards OF CARE to treat SERIOUS Medical conditions were AND still ARE directly AND PROXIMATELY CAUSED by the ACTIONS AND INACTIONS OF deliberate indifference to CURB OR CURE these KNOWN DEFECTENCIES FOR YRS. have been the direct CAUSE OF the Constitutional violations Listed in this COMPLAINT AND All sued INDIVIDUALLY AND Liable to Plaintiff FOR DAMAGES as well as the PAIN AND SUFFERING AND continues to SUFFER...

15. DEFENDANT'S SHERIFF Botie Hillhouse ° ASSISTANT CHIEF ° CHIEF Kevin Halbert ARE also sued in their OFFICIAL CAPACITIES due to the defective custom that's be wide spread FOR YRS. AND Fail to CURB OR CURE these DEFECTENCIES AND one OF the MOVING FORCES behind Constitutional violations Plaintiff has SUFFERED AND liable to Plaintiff FOR DAMAGES as well as the PAIN AND SUFFERING this custom has CAUSED...

V. STATE LAW NEGLIGENCE CLAIMS

16. Due to all defendants failure to comply with generally accepted medical standards of care in their medical treatment timely to Plaintiff..

- A. All defendants have violated their duty of care to Plaintiff..
- B. The defendants violation of their duty of care to Plaintiff was a direct and proximate cause and substantial factor in bringing about Plaintiff damages as outlined above, and as a result all defendants are liable to Plaintiff.
- C. Because all the individual defendants were acting as agents servants and/or employees of Henderson Co. Sheriff's Office. Sheriff. Chief. Assistant Chief. Dr. Nurse. And because the individuals defendants were acting with direct control and supervision of named defendants. The defendants listed above are/is also liable to Plaintiff on the basis of respondeat superior liability...

VI. PERSONAL DECLARATION

17. MY NAME IS JACK CODY RABURN the Plaintiff in the above styled complaint AM OVER 21 YRS OF AGE AND SOUND MIND TO MAKE THIS SWORN COMPLAINT THAT EVERYTHING IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE.. DUE TO NCIC KIOSKS NOT WORKING IN SEPERATION I JUST PUT THE DATES ON SICK CALLS + DR. VISITS.

REQUESTED RELIEF

18. WHEREFORE. Plaintiff respectfully request All Defendants are held liable to help curb or cure these known defectines through damages and induction Relief for Plaintiff to be free from cruel and unusual Punishment..

TO ALL DEFENDANTS 50,000. EACH

- A. COMPENSATORY DAMAGES to all defendants..
- B. Punitive DAMAGES as to all defendants individually..
- C. Declaratory DAMAGES to all defendants.
- D. Such other Relief as may appear just and appropriate.

Respectfully Submitted

Plaintiff

X JACK CODY RABURN #00000017

HENDERSON Co. Jail

P.O. BOX 2601

Athens Ty. 30601